IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 5TH OCTOBER, 2006/13TH ASWINA 1928

Bail Appl..No. 5891 of 2006

CRIME NO.498/2006 OF MALAPPURAM POLICE STATION

PETITIONER/ACCUSED

FIROZE, S/O.SHAHUL HAMEED,
AGED 25 YEARS, PALLITHEKKAYIL HOUSE,
KOTTILANGADI POST, MALAPPURM.

BY ADV. SRI.VINOD VALLIKAPPAN

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 5/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5891/2006

DATED THIS THE 5TH DAY OF OCTOBER, 2006

O R D E R

The petitioner is the third accused, in crime No.498/2006 of Malappuram Police Station, for the offence punishable under Sections 143, 147, 341 and 353 IPC read with Section 149 IPC. The prosecution submits that the accused 1 and 2 were arrested on 2.9.2006 and on 19.9.2006 respectively. The petitioner, the third accused, was absconding. Therefore, he is now before this Court, under Section 438 Cr.P.C.

2. After hearing both sides, I direct the petitioner to surrender before the Investigating Officer, who is investigating crime No.498/2006 of Malappuram Police Station, on 11.10.2006 between 9.30 a.m and 10.00 a.m.

3. The Investigating Officer shall interrogate the petitioner and thereafter, produce him before the Court below, on the same day itself.

4. The learned Magistrate shall consider the bail

application, that may be filed by the petitioner, the third accused, as well as the custody application, if any, filed by the prosecution, and pass appropriate orders on those applications, on merit.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs